PC 6

HPW:al
8/24/64

August 24, 1964

MEMORANDUM

TO: THE FILES

FROM: Howard P. Willens

SUBJECT: Meeting with the Chairman of the Commission

On the afternoon of Wednesday, August 19, 1964, Mr. Redlich and I were summoned to the offices of the Chief Justice. Mr. Redlich was informed that the purpose of the meeting was to discuss the latest draft Chapter 8 of the report, dealing with Presidential protection, which had been distributed to the members of the Commission early that morning.

Upon our arrival the Chief Justice greeted us and began reviewing the chapter with us. He was generally very pleased with the draft and indicated that he had a limited number of comments. Most of his suggestions were made for the purpose of style or clarification and Mr. Redlich and I took notes on our drafts of the chapter so as to incorporate them in the next version of the chapter. The Chief Justice indicated that he generally felt that this chapter now was fair in its criticism of the Secret Service and the Federal Bureau of Investigation. In the course of the discussion he indicated also his view that the chapter was perhaps the most important in the report.

(hpw)
8/25/64

The Chief Justice made two major comments which we discussed at some length. First, he suggested that the statute proposed in chapter 8, making assassination a federal crime, should not explicitly provide for the death penalty. Although the Chief Justice said that he did not have strong views one way or the other on capital punishment he said that he did not want to inject the Commission into this field of controversy. He suggested, therefore, that the Commission could achieve all that was necessary by making reference to the coverage and provision of the statute but not specifically express

cc: Mr. Rankin
Mr. Redlich
Mr. Willens

itself on the issue of punishment. Mr. Redlich and I agreed that this could be done, either by referring to other federal statutes which would seem to be the law that now or by leaving the question of punishment separately open for Congressional decision.

The second matter which the Chief Justice considered of particular importance was the tenor of the last paragraph of the current draft of the chapter. He thought that the language was too much of an admonition to the President, and that it should be revised. He suggested by his comments that the paragraph should contain many of the thoughts which it currently does, but should be addressed more to the people of the United States than to the President. Mr. Redlich expressed his view on the paragraph, as did I. I told the Chief Justice that in the prior draft there had been some reference to John F. Kennedy and the hope of the Commission that its work might minimize the dangers of another assassination. I expressed my view that as the last paragraph in the report, the paragraph should actually make reference to the late President and the entire investigation of the Commission. The Chief Justice seemed amenable to these thoughts and we agreed that additional efforts would be made to redraft this language.